



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

JULY 29, 2019

9:30

Calendar No. 19-147:

1809 West 50 Street

Ward 3

Kerry McCormack

Michael Rastatter, owner, proposes to erect a wall and wooden deck with gable roof overhang over deck area in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.09(b)(2)(B) which states that the required interior side yard is 6 feet 4 inches and the appellant is proposing 1 foot 9 inches (Filed June 20, 2019).

9:30

Calendar No. 19-149:

4190 Patton Road

Ward 12

Anthony Brancatelli

Alexander Bryant, owner, proposes to erect 42 lineal feet of 6 feet tall wooden fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.) Section 358.04(a) which states that no fence shall be higher than its distance to the house on the adjacent lot; in this case 4 feet is permitted and the appellant is proposing 6 feet.
- 2.) Section 358.04(a) which states that a fence running parallel to the house on the same parcel shall not be less than 3 feet and the appellant is proposing 2 feet. (Filed June 21, 2019).

9:30

Calendar No. 19-152:

1250 E. 71 Street

Ward 7

Basheer S. Jones

Timothy Holt, owner, proposes to erect a two story frame platform wolmanized wooden deck in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.09(b)(2)(B) of the Cleveland Codified Ordinances which states that the required interior side yard of 3 feet 6 inches is required and the appellant is proposing .05 inch.(Filed June 24, 2019).

9:30

Calendar No. 19-156:

2417 Oak Park Ave.

Ward 13

Kevin J. Kelley

Chester A. Arter, owner, proposes to erect a laundry room addition in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of 357.09(b)(2)(A) of the Cleveland Codified Ordinances which states that no building shall be less than 10 feet from a main building on adjacent lot and the appellant is proposing 6 feet 3 inches.(Filed June 25, 2019).

9:30

Calendar No. 19-164:

4100 West 150 Street

Ward 16

Brian Kazy

BFR Cleveland Office LLC., owner, proposes to reconfigure and expand parking lot in a B3 General Industry District. The owner appeals for relief from the strict application of Section 352.10 which states that parking lots of over 100 spaces require island landscape strips with a minimum area of at least 100 square feet and separated by no more than 20 parking spaces. (Filed July 2, 2019).

9:30

Calendar No. 19-166:

1458 E. 114 Street

Ward 9

Kevin Conwell

New Frontier Development Group, owner, proposes to build a 28 space parking lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.08 which states that where (five) or more accessory off-street parking spaces are provided, and are located on a lot that is adjacent to a Residence District or that adjoins a building containing dwelling units, such parking spaces shall be screened from all adjoining lots in the residence District or a building containing dwelling units, of land at least four (4) feet wide and densely planted with shrubs that form a dense screen year-round. Such wall, fence, or shrubs shall be at least three (3) feet, but not more than six (6) feet six (6) inches in height.
2. Section 349.09 which states that where lighting is provided for accessory off-street parking spaces, it shall be constructed and arranged so as to prevent the direct emission of light upon adjoining lots or the public streets.
3. Section 349.13 which states that The Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than a Limited One-Family District, for a parking lot when the best interests of the community will be served.
4. Section 357.14 which states that parking is a prohibited use in the front yard setback area. (Filed July 3, 2019)

POSTPONED FROM JUNE 17, 2019

9:30

Calendar No. 19-62:

603 Herschel Court

Ward 3

Kerry McCormack

Brian Davine, owner, proposes to construct a 3 ½ story addition on a 3,220 square foot lot in a B1Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 3.) Section 355.04(a) which states that the minimum lot area for a single family dwelling in a "B" Area district is 4,800 square feet and the lot area is 3,220 square feet.
- 4.) Section 357.09(b)(2)(B) which states that in a Two-Family Residential District no interior side yard on a lot occupied by a dwelling house shall be less than 5 feet in width for a corner lot, nor less than 3 feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet. However the width of any such

interior side yard shall in no case be less than ¼ the height of the main building on the premises. The required interior side yard in this case is 10 feet and a 1 foot 6 inch side yard is proposed (Filed April 9, 2019-No Testimony). *SECOND POSTPONEMENT AT THE REQUEST OF THE DEVELOPMENT CORPORATION FOR FURTHER REVIEW. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW FOR TIME FOR FURTHER REVIEW.*

POSTPONED FROM JUNE 24, 2019

9:30

**Calendar No. 19-68: 10409 Meech Ave./Division Ward 2
 of Park Maintenance and Kevin L. Bishop
 Properties Invoice WO-7010-
 465123**

Number Two Grace LLC., owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of Natasha Bruister, Project Coordinator, for the Division of Park Maintenance and Properties on March 13, 2019 regarding Invoice WO-7010-465123. The invoice was issued in accordance with chapter 209 of the Cleveland Codified Ordinance which authorizes the Department of Parks Maintenance and Properties to abate nuisances on any property and bill the owner of the abated property at a rate of seven cents per square foot (Filed April 12, 2019- NO TESTIMONY). *SECOND POSTPONEMENT WAS MADE AT THE REQUEST OF THE CITY TO ALLOW FOR TIME TO WORK WITH APPELLANT. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

9:30

**Calendar No. 19-69: 10409 Meech Ave./Division Ward 2
 of Park Maintenance and Kevin L. Bishop
 Properties Invoice WO-7010-
 546250**

Number Two Grace LLC., owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of Natasha Bruister, Project Coordinator, for the Division of Park Maintenance and Properties on March 13, 2019 regarding Invoice WO-7010-546250. The invoice was issued in accordance with chapter 209 of the Cleveland Codified Ordinance which authorizes the Department of Parks Maintenance and Properties to abate nuisances on any property and bill the owner of the abated property at a rate of seven cents per square foot (Filed April 12, 2019-NO TESTIMONY). *SECOND POSTPONEMENT WAS MADE AT THE REQUEST OF THE CITY TO ALLOW FOR TIME TO WORK WITH APPELLANT. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

Postponed from July 8, 2019

Calendar No. 19-93:

3807 East 93 Street

Ward 2

Kevin L. Bishop

Andrico Marshall, owner, proposes to establish uses as a motor vehicle service garage in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.01 which states that motor vehicle service garage is not permitted in a Local Retail Business District but first permitted in a General Retail Business District per Section 343.11(b)(2)(I)(3).
2. Section 352.08 through 352.12 which states that a 10 foot wide landscaped transition strip providing 75% year round opacity is required in rear of property where it adjoins residential district. A six foot wide landscaped frontage strip is required where property abut street. (Filed May 1, 2019- No Testimony) *SECOND POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW FOR TIME FOR THE APPELLANT TO MEET WITH NEIGHBORHOOD PLANNER. FIRST POSPTONEMENT MADE AT THE REQUEST OF THE CITY PLANNING COMMISSION TO ALLOW FOR TIME FOR FURTHER REVIEW.*